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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,191	07/06/2001	Masaya Nozawa	401297	2703

23548            7590            12/23/2002  
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[REDACTED] EXAMINER

O NEILL, GARY W

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2873

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	09/899,191
Examiner	Gary O'Neill

Applicant(s)

NOZAWA ET AL.
Art Unit 2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

### THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on \_\_\_\_ .  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-4 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 06 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.  
 12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1.) Certified copies of the priority documents have been received.  
 2.) Certified copies of the priority documents have been received in Application No. \_\_\_\_ .  
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.  
 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.  
 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) .

4) Interview Summary (PTO-413) Paper No(s) .  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: *Detailed Action* .

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Preliminary Amendment Acknowledgement***

2. Receipt is acknowledged of Preliminary Amendment submitted 8/28/01, which has been considered by the examiner.

***Information Disclosure Statement***

3. Receipt is acknowledged of Information Disclosure Statement submitted 10/17/01, which has been considered by the examiner.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al. (6115191).

Ito et al. discloses, as in claim 1, a lens barrel (fig.1) comprising a plurality of cylindrical bodies expandable in a multistage fashion (col.4, lines 14-50, tubes); an optical lens system (fig.1) constituted by a plurality of lens groups (120, 130, 140) disposed along an optical axis, all of said plurality of lens groups being accommodated in a leading cylindrical body (60) to be extended among said plurality of cylindrical bodies; and a driving source (190) incorporated in said leading cylindrical body, wherein said optical lens system comprises at least one fixed lens group (120) secured to said leading cylindrical body and at least one movable lens group (130) movable along the optical axis upon receiving a driving force of said driving source (col.9, lines 35-48).

Ito et al. discloses, as in claim 2, the lens barrel (fig.1) wherein said optical lens system comprises two fixed lens groups (120,140), said movable lens group (130) being disposed between said two fixed lens groups.

Ito et al. discloses, as in claim 3, the lens barrel (fig.7) further comprising a movable lens frame (90) having said movable lens group (130) attached thereto; a threaded shaft (172), in mesh with said movable lens frame, oriented along the optical axis of said plurality of lens groups; and a rotary driving section (173) for supplying a rotary force to said threaded shaft so as to rotate said movable lens group along the optical axis direction.

Ito et al. discloses, as in claim 4, the lens barrel wherein said lens optical system is a taking optical system of an optical device (col.2, lines 40-62).

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are being cited for disclosing lens barrels having a plurality of multistage cylindrical bodies containing fixed and moveable lens groups and driving sources: Nomura et al. (5793537); Miyakawa (2002/0067556); Tanioka (6456792); and Nakane (6466379).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary O'Neill whose telephone number is 703-306-4828. The examiner can normally be reached on Monday - Thursday, 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y Epps can be reached on 703-308-4883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7725 for regular communications and 703-308-7725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Gary O'Neill  
Examiner  
Art Unit 2873

GO  
December 7, 2002

  
Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800